

REVISED AGENDA
Administrative Rules Subcommittee
of the
Arkansas Legislative Council

Wednesday, May 18, 2022
9:00 AM
Room A, MAC
Little Rock, Arkansas

Sen. Kim Hammer, Chair
Sen. Bill Sample, Vice-Chair
Sen. Ronald Caldwell
Sen. Jane English
Sen. Gary Stubblefield
Sen. Jimmy Hickey, Jr
Sen. David Wallace
Sen. Ricky Hill
Sen. Missy Irvin, ex officio
Sen. Terry Rice, ex officio

Rep. Les Eaves, Chair
Rep. Lane Jean, Vice-Chair
Rep. Reginald Murdock
Rep. Matthew J. Shepherd
Rep. Jon S. Eubanks
Rep. Bruce Cozart
Rep. Michelle Gray
Rep. DeAnn Vaught
Rep. Jeff Wardlaw, ex officio
Rep. Jim Dotson, ex officio

- A. Call to Order.**
- B. Reports of the Executive Subcommittee.**
- C. Reports on Administrative Directives Pursuant to Act 1258 of 2015, for the quarter ending March 31, 2022.**
- 1. Department of Corrections (Lindsay Wallace)**
 - 2. Parole Board (Lindsay Wallace)**
- D. Rules Filed Pursuant to Ark. Code Ann. § 10-3-309.**
- 1. ARKANSAS DEPARTMENT OF TRANSPORTATION, STATE HIGHWAY COMMISSION (Gill Rogers)**
 - a. Amendment to the Permit Rules for the Movement of Oversized Vehicles on the State Highway System (p.1)**
 - 2. DEPARTMENT OF AGRICULTURE, ARKANSAS MILK STABILIZATION BOARD (Frederic Simon, Kolton Jones, Wade Hodge)**
 - a. Milk Stabilization Rules (p.2)**

Note: All exhibits for this meeting are available by electronic means and are accessible on the General Assembly's website at www.arkleg.state.ar.us

Notice: Silence your cell phones. Keep your personal conversations to a minimum. Observe restrictions designating areas as *'Members and Staff Only'*.

3. **DEPARTMENT OF AGRICULTURE, ARKANSAS NATURAL RESOURCES COMMISSION (Chris Colclasure, Blake Forrest, Wade Hodge)**
 - a. **Title 14: Water Resource Conservation and Development Incentives (p.10)**
- ~~4. **DEPARTMENT OF AGRICULTURE, STATE PLANT BOARD**~~
 - ~~a. **Arkansas Industrial Hemp Production Rule**~~
5. **DEPARTMENT OF AGRICULTURE, VETERINARY MEDICAL EXAMINING BOARD (Cara Tharp, Wade Hodge)**
 - a. **Veterinary Telehealth and Telemedicine (p.11)**
6. **DEPARTMENT OF EDUCATION, DIVISION OF ELEMENTARY AND SECONDARY EDUCATION (Amy Douglas, items a-e; Lori Freno, items f-h; Cristy Parks, items i-j; Courtney Salas-Ford, items k-m)**
 - a. **Background Checks (p.14)**
 - b. **Master Principal (p.15)**
 - c. **National Board Certified Teacher (p.17)**
 - d. **Code of Ethics (p.18)**
 - e. **Educator Licensure (p.21)**
 - f. **Rules Governing School-Based AED Devices and CPR Programs (p.25)**
 - g. **Rules Governing Visual and Performing Arts Instruction for Students in Grades 1-8 (p.27)**
 - h. **Rules Governing the Arkansas Educational Support and Accountability Act (p.30)**
 - i. **Rules Governing Required Training for School Board Members (p.31)**
 - j. **Rules Governing the Right to Read Act (p.33)**
 - k. **Rules Governing Declining Enrollment and Student Growth Funding for Public School Districts (p.36)**
 - l. **Rules Governing the Star-Spangled Banner Act (p.37)**
 - m. **Rules Governing Student Special Needs Funding (p.38)**

7. **DEPARTMENT OF FINANCE AND ADMINISTRATION, ARKANSAS TOBACCO CONTROL BOARD (Greg Sled)**
 - a. **Rules of the Arkansas Tobacco Control Board (p.40)**
8. **DEPARTMENT OF FINANCE AND ADMINISTRATION, REVENUE DIVISION (Keith Linder, Joel DiPippa)**
 - a. **2022-1 Philanthropic Investment in Arkansas Kids Program Rules (p.47)**
9. **DEPARTMENT OF HEALTH, ARKANSAS BOARD OF PODIATRIC MEDICINE (John Robinette)**
 - a. **Rules for the Board of Podiatric Medicine (p.48)**
10. **DEPARTMENT OF HEALTH, STATE BOARD OF HEALTH (Bernard Bevill, Charles Thompson)**
 - a. **Rules Pertaining to Radiologic Technology Licensure (p.49)**
11. **DEPARTMENT OF HEALTH, STATE KIDNEY DISEASE COMMISSION (Charles Thompson)**
 - a. **Arkansas Kidney Disease Commission Rules (p.53)**
12. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF COUNTY OPERATIONS (Mark White, Mary Franklin)**
 - a. **Medical Services Policy Section A-116, H-100, H-400, H-600, and H-700 (p.55)**
13. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF MEDICAL SERVICES (Mark White, Elizabeth Pitman)**
 - a. **Non-Emergency Ambulance Transport Payments (p.60)**
 - b. **Outpatient Behavioral Health Services (OBHS) and School-Based Mental Health Services (SBMHS) Manuals (p.63)**
 - c. **Hospital, Physician and Nurse Practitioner Provider Manuals and SPA to Add PANS/PANDAS Treatment (p.66)**
 - d. **Medicaid Limits on Lab/Radiology and SPA 2022-0003 (p.69)**
 - e. **Pharmacy Manual Update 3-21 and SPA 2022-0001 (p.78)**

14. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF PROVIDER SERVICES AND QUALITY ASSURANCE (Mark White, Martina Smith)**
 - a. **Behavioral Health Agency Certification Manual Update Pursuant to Act 760 (p.80)**
 - b. **Long-Term Care Facility Licensure and Change of Ownership, and Medication Assistant (p.81)**
 - c. **Definition of Long-Term Care Facility (p.83)**
 - d. **In-Home Caregiver Background Checks (p.84)**
 - e. **Waiver of Licensure Fees (p.85)**
15. **DEPARTMENT OF LABOR AND LICENSING, DIVISION OF LABOR, HVACR LICENSING BOARD (Denise Oxley)**
 - a. **Administrative Rules Pertaining to the Licensing of Heating, Ventilation, Air Conditioning, and Refrigeration Contractors (p.87)**
 - b. **Repeal of Administrative Rules Pertaining to the Certification of Heating, Ventilation, Air Conditioning, and Refrigeration Mechanical Inspectors (p.90)**
 - c. **Section XXIII – The International Mechanical Code (p.91)**
16. **DEPARTMENT OF LABOR AND LICENSING, DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING BOARDS AND COMMISSIONS, ARKANSAS ABSTRACTERS’ BOARD (Miles Morgan)**
 - a. **Rules of the Arkansas Abstracters’ Board (p.92)**
17. **DEPARTMENT OF LABOR AND LICENSING, DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING BOARDS AND COMMISSIONS, ARKANSAS MOTOR VEHICLE COMMISSION (Sandy Stroope, Miles Morgan, Denise Oxley)**
 - a. **AMVC Rule 3 – Advertising; AMVC Rule 7 – Off-Premise Sales, Displays and/or Events; and AMVC Rule 10 – Education and Grant Training Program (p.94)**
18. **DEPARTMENT OF LABOR AND LICENSING, DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING BOARDS AND COMMISSIONS, ARKANSAS REAL ESTATE COMMISSION (Andrea Alford, Miles Morgan)**
 - a. **Rule 3.4 – Waiver of Application Fees (p.95)**

- b. **Rule 4.5 – Automatic Licensure for Uniformed Service Members, Veterans and their Spouses; Rule 6.1 – Renewal Applications; and Rule 11.1 – Requests for Waiver or Extension; Exemptions for Uniformed Service Members and their Spouses (p.95)**
 - c. **Rule 4.6 – Pre-Licensure Criminal Background Check and Waiver Request (p.96)**
 - d. **Rule 4.7 – Work Permits Accepted (p.97)**
 - e. **Rule 13.1 – Registration, Renewal, and Fees (p.97)**
- 19. DEPARTMENT OF LABOR AND LICENSING, DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING BOARDS AND COMMISSIONS, STATE BOARD OF REGISTRATION FOR PROFESSIONAL GEOLOGISTS (Miles Morgan, Kelli Black)**
- a. **Rules of the State Board of Registration for Professional Geologists (p.98)**
- 20. DEPARTMENT OF PARKS, HERITAGE, AND TOURISM, DIVISION OF ARKANSAS HERITAGE (Leslie Fisker)**
- a. **Arkansas Cultural Institutions Trust Fund Act Rules (p.100)**
- 21. DEPARTMENT OF PUBLIC SAFETY, DIVISION OF ARKANSAS STATE POLICE (Joan Shipley, items a-b; Major Lindsey Williams, Captain Mike Moyer, items a-c)**
- a. **Rules for Licensing and Regulation of Private Investigators, Private Security Agencies, Alarm Systems Companies, Polygraph Examiners, and Voice Stress Analysis Examiners (p.101)**
 - b. **Used Motor Vehicle Dealer Licensing Rules (p.102)**
 - c. **2021 Arkansas Fire Prevention Code (p.104)**
- 22. TREASURER OF STATE, ARKANSAS FINANCIAL EDUCATION COMMISSION (T.J. Fowler, Fran Jansen)**
- a. **Rules of the Arkansas Financial Education Commission (p.114)**

- E. Proposed Rules Recommending Expedited Process for Occupational Licensure Pursuant to Ark. Code Ann. § 17-4-109, as Amended by Act 135 of 2021.**
 - 1. DEPARTMENT OF LABOR AND LICENSING, DIVISION OF LABOR, STATE ATHLETIC COMMISSION (Miles Morgan)**
 - a. Administrative Rules Pertaining to the State Athletic Commission**
- F. Monthly Written Agency Updates Pursuant to Act 595 of 2021.**
- G. Adjournment.**